

UNITED STATES OF AMERICA	*	CRIMINAL DOCKET NO. 08-300
v.	*	SECTION: "N"
AMEAL PARKER	*	
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If this case were to proceed to trial, the United States would prove the following facts beyond a reasonable doubt through credible testimony of several witnesses and the introduction of numerous pieces of evidence:

During the week of August 25, 2008, approximately 400 federal, state, and local law enforcement officers and numerous federal and state prosecutors, came to New Orleans to attend the Southeast Region Organized Crime Drug Enforcement Task Forces (OCDETF) Conference. The OCDETF program is run by the United States Department of Justice and one of its principal purposes is to ensure that multi-district drug investigations are coordinated so that all leads and intelligence are shared among the law enforcement community. The people who attended this conference are tasked with the job of investigating drug organizations that import drugs into the United States and those parts of the organizations that transport and deliver the drugs throughout the United States. The 2008 Southeast Region Conference was held at the Sheraton Hotel on Canal Street in New Orleans and was put on by the United States Department of Justice.

Special Agent Thomas J. Byrne was employed as supervisory special agent with the Drug Enforcement Administration and assigned to the Houston Field Division. He was the OCDETF coordinator for the Houston field office as well as the coordinator for Southwest Region's Organized Crime Drug Enforcement Task Force. As Houston, Texas is recognized as being a source city for the distribution of narcotics, part of Special Agent Byrne's duties generally, and in attending the conference in particular, were to attend the seminars held during the conference as well as network and develop relationships with representatives within DEA and other law enforcement agencies in an effort to coordinate ongoing and future multi-district narcotic investigations. As a part of his duties as OCDETF coordinator, Special Agent Byrne was instructed to attend the conference in New Orleans from August 25-28, 2008, which included meetings with the other DEA Regional OCDETF Coordinators and DEA Headquarters staff. In attending the New Orleans conference, Special Agent Byrne was on travel status, being paid per diem and staying at the Sheraton Hotel with the costs associated with his travel being paid by DEA. In furtherance of these objectives, on the night of August 27, 2008, Special Agent Byrne went to dinner and visited one or more nightclubs in the French Quarter area of New Orleans with agents and representatives of the United States Marshal's Service, Federal Bureau of Investigation and Drug Enforcement Administration. At approximately 12:10 a.m., after dinner and drinks, Agent Byrne left the Bourbon Rocks Bar .

At approximately 1:26 a.m. the New Orleans Police Department received a 911 call stating that an unknown male was injured on the Elysian Fields overpass, possibly hit by a car. NOPD officers and EMS technicians arrived on the scene shortly thereafter and learned that the injured person was Special Agent Byrne. According to the EMS attendants, Special Agent Byrne

was suffering from multiple injuries, consistent with being beaten, including numerous contusions to his head and body. Special Agent Byrne told EMS attendants that he was beaten and robbed by unknown males. It should be noted that the EMS attendants indicated that it was obvious that Special Agent Byrne had been drinking as all of his answers were not coherent. It should also be noted that Special Agent Byrne's wallet, which contained his money and credit cards, and his cell phone was missing.

Special Agent Byrne was taken to a local hospital where he underwent multiple surgeries for treatment of a subdural hematoma, which left him on life support. It should be noted that during this period Hurricane Gustav was approaching the City of New Orleans and the city was under an evacuation order. Special Agent Byrne's family came into town to be with him at the hospital. However, on August 30, 2008, Special Agent Byrne died from his injuries.

An autopsy revealed that Special Agent Byrne died from blunt trauma to his head which caused the subdural hematomas. This caused bleeding in his brain, which resulted in his death. The autopsy protocol also noted that Special Agent Byrne suffered broken ribs on both sides of his body and numerous cuts, scratches, and bruises all around his body and extremities, injuries consistent with a beating. It should also be noted that no illegal drugs were found in Special Agent Byrne's system.

An initial investigation by federal and local law enforcement officers on the day of the beating revealed that Special Agent Byrne's cellular phone and credit cards were missing. His firearm and badge were located secured in his hotel room. Based on a check with the credit card companies, it was determined that two of Special Agent Byrne's credit cards had been attempted to be used. First, at approximately 12:51 a.m., an unknown black male, later positively identified

as Ameal Parker, attempted without authorization, to utilize Agent Byrne's Barclay's Bank credit card to withdraw United States currency from the ATM machine at Gene's Po-boy Shop, 1040 Elysian Fields Avenue, New Orleans, Louisiana. The fraudulent transaction was declined due to Parker's inability to input the proper personal identification number during the transaction.

Subsequent review of the Gene's Po-Boys surveillance videos generated from other surveillance cameras showed that at approximately 11:49 p.m. on August 27, 2008, Parker arrived at Gene's Po-Boys and proceeded to loiter and panhandle for money. At approximately 12:45 a.m. Special Agent Byrne was observed on video walking north bound on Elysian Fields Avenue approaching by St. Claude Avenue. As Special Agent Byrne proceeded to cross St. Claude Avenue, he passed within a few feet of Parker who is seen watching Special Agent Byrne as he walked past. Approximately twenty seconds later, Parker proceeded to follow Special Agent Byrne north bound on Elysian Fields Avenue. A New Orleans crime camera then showed Special Agent Byrne, followed by Parker, continue to proceed north on Elysian Fields Avenue. Less than four and a half minutes after Special Agent Byrne and Parker walk out of view of the crime camera, Parker is observed returning south bound on Elysian Fields toward St. Claude Avenue and Gene's Po-Boys located at that intersection. During that period of time Parker callously and with wanton disregard, assaulted Special Agent Byrne with intent to steal Special Agent Byrne's personal belongings, including his wallet and money. This assault caused many of the injuries noted in the autopsy of Special Agent Byrne. As mentioned above, once Parker arrived at Gene's Po-Boys, Parker proceeded directly to the ATM machine inside Gene's Po-Boys and attempted to use Special Agent Byrne's Barclay's Bank credit card in an attempt to fraudulently withdraw United States currency from Agent Byrne's Barclay's Bank account.

After Parker's unsuccessful attempt to fraudulently withdraw money through the use of Special Agent Byrne's Barclay's Bank credit card, Gene's surveillance cameras captured Parker meeting with a known individual outside of Gene's Po-Boys and shortly thereafter proceed east bound on St. Claude Avenue in the direction toward Franklin Avenue. Both Parker and the known individual walked down St. Claude Ave. to a Shell gas station located at 1100 Franklin Avenue. Once at the Shell gas station, Parker attempted to purchase merchandise from within the Shell gas station by using a second of Special Agent Byrne's credit cards. At approximately 1:04 a.m., Parker presented Special Agent Byrne's USAA credit card in an attempt to fraudulently acquire the merchandise. Because Parker was unable to provide the proper personal identification number to Special Agent Byrne's USAA credit card, this attempted fraudulent transaction was also declined. According to the known individual, as they left the Shell gas station, Parker stated that he had to beat a guy to get the credit card. Investigating detectives later presented a photograph of Parker to the clerk at the Shell gas station. The clerk positively identified Parker as the individual who attempted to use a blue credit card in the name of "Thomas B" to purchase the merchandise.

Parker was arrested on August 28, 2008 as he walked near Tulane Hospital where Special Agent Byrne was being treated. Agents recognized him from the surveillance photo from Gene's Po-Boys attempting to utilize Special Agent Byrne's Barclay's Ban credit card and took him into custody and was advised of his Miranda warnings. He was transported to NOPD headquarters where he was interviewed. When the detectives asked him if he had been at Gene's PoBoy's the previous night, Parker said he was not there, but in a different area of town. When the detectives showed him a picture of himself at Gene's Po-Boys attempting to use the credit card belonging to

Special Agent Byrne, Parker falsely stated that the known individual gave him the credit card and told him to go into Gene's and attempt to obtain money from the ATM machine. This statement was clearly false as the video from Gene's Po-Boys showed that Parker arrived back at Gene's Po-Boys and attempted to make the fraudulent withdrawal from the ATM through the use of Special Agent Byrne's Barclay's Bank credit card prior to the known individual arriving outside of Gene's Po-Boys.

Read and Approved:

AMEAL PARKER (Date)
Defendant

WILLIAM J. QUINLAN, JR. (Date)
Assistant United States Attorney

VALERIE JUSSELIN (Date)
Defense Counsel Ameal Parker

MAURICE E. LANDRIEU, JR. (Date)
Assistant United States Attorney